

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 01, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

SAMANTHA MARIE TAINEWASHER,

Defendant.

No. 1:21-CR-02029-SAB

**ORDER RE: PRETRIAL
MOTIONS**

An evidentiary hearing and motion hearing were held on July 26, 2022 in Yakima, Washington, and August 1, 2022 by Video Conference.¹ Michael Ellis and Timothy Ohms appeared on behalf of the United States of America. Richard Smith and Douglas McKinley appeared on behalf of Defendant Samantha Marie Tainewasher, who was present and out of custody.

The Court heard testimony from Officer Elijah Chumley and Special Agent Eric Christensen. For the reasons stated on the record, the Court denied Ms. Tainewasher's First and Second Motions to Dismiss, Motion to Strike Surplusage, Motion to Suppress and associated Motion for Reconsideration, and Motion to Prohibit Rule 404(b) Evidence. The Court reserved ruling on Defendant's Motion in Limine re: Government's Second Notice Pursuant to Federal Rule of Evidence 404(b) for trial. *See* ECF No. 123. This Order memorializes the Court's oral ruling.

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¹ Ms. Tainewasher consented to oral argument on the motions by video. ECF No. 133.

Accordingly, it is **HEREBY ORDERED**:

1. Defendant's First Motion to Dismiss, ECF No. 56, is **DENIED**.

2. Defendant's Motion to Strike Surplusage, ECF No. 75, is **DENIED**.

3. Defendant's Second Motion to Dismiss, ECF No. 76, is **DENIED**.

4. Defendant's Motion to Suppress Physical Evidence and Observations,
ECF No. 120, is **DENIED**.

5. Defendant's Motion to Reconsider Oral Ruling re: Emergency
Exception to the Warrant Requirement, ECF No. 134, is **DENIED**.

6. Defendant's Motion to Prohibit Rule 404(b) Evidence, ECF No. 135,
is **DENIED**.

7. Defendant's Motion in Limine re: Government's Second Notice
Pursuant to Federal Rule of Evidence 404(b), ECF No. 123, is **RESERVED FOR
TRIAL**.

IT IS SO ORDERED. The District Court Clerk is hereby directed to enter
this Order and provide copies to counsel.

DATED this 1st day of August 2022.



Stanley A. Bastian

Stanley A. Bastian
Chief United States District Judge